

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS

Morgan Lewis & Bockius, LLP

DEFENDANTS

City of East Chicago

(b) County of Residence of First Listed Plaintiff Cook, IL
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Lake, IN

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)
F. Thomas Hecht, Tina B. Solis, Ungaretti & Harris, 3500 Three First National Plaza, Chicago, IL 60602 (312) 977-4400

Attorneys (If Known)

David C. Jensen, Robert J. Feldt, Eichhorn & Eichhorn, LLP, 200 Russell Street, 6th Floor, Hammond, IN 46320 (219) 931-0560

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

MAY 12 2008

F I L E D
May 12 2008

MAY 12 2008

U.S. DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MAY 12 2008

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Personal Injury	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 620 Consumer Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slender	<input type="checkbox"/> 630 Seizure of Property 21 USC 881	<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 430 Commerce/ICC Rates/etc.
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 635 Personal Injury — Product Liability	<input type="checkbox"/> 440 Deportation	<input type="checkbox"/> 450 Deportation
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 638 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 670 Other Fraud	<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (excl. vet.)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 671 Truth in Lending	<input type="checkbox"/> 490 Cable/Satellite TV	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 680 Other Personal Property Damage	<input type="checkbox"/> 810 Selective Service	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Inj.	<input type="checkbox"/> 685 Product Damage	<input type="checkbox"/> 850 Security/Commodity/Exch.	
<input checked="" type="checkbox"/> 190 Other Contract		<input type="checkbox"/> 690 Product Liability	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	
<input type="checkbox"/> 195 Contract Product Liability				Acts
<input type="checkbox"/> 196 Franchise				abilization Act
				al Matters
				ation Act
				Information Act
				ic
				on Under
				s to Justice
				ality of
				state Statutes
				890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIO		
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence		
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 520 Habeas Corpus		
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 535 Death Penalty		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 ADA—Employment	<input type="checkbox"/> 540 Mandamus & Other		
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 ADA - Other	<input type="checkbox"/> 550 Civil Rights		
	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition		
			<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

Civil action for breach of contract removal pursuant to 28 USC § 1441 and 1446 with subject matter jurisdiction 28 USC § 1332

VII. PREVIOUS BANKRUPTCY MATTERS (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary)

VIII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

IX. This case is not a refiling of a previously dismissed action. is a refiling of case number _____, previously dismissed by Judge _____

DATE 05/12/08

SIGNATURE OF ATTORNEY OF RECORD

David C. Jensen